

NO. 62707

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 31 1996

Returned to applicant for correction

Corrected application filed

Map filed DEC 31 1996

The applicant Jack D. Harker and Lois Harker, hereby make application for permission to change the Point of Diversion and Place of Use of water heretofore appropriated under a portion of Claim 271 of the Truckee River Decree, said Decree entered by the District Court of the United States for Nevada in that certain action entitled "The United States of America, Plaintiff, vs. Orr Water Ditch Company, et al, Defendants, in Equity Docket No. A-3.

1. The source of water is Steamboat Canal - Truckee River
2. The amount of water to be changed .0054 cfs not to exceed .56 acre feet per annum
3. The water to be used for As Decreed, Irrigation and Domestic
4. The water heretofore permitted for As Decreed, Irrigation and Domestic
5. The water is to be diverted at the following point NE1/4 SW1/4 Section 31, T19N, R18E, MDM or at a point from which the Southeast corner of said Section 31 bears, S 62° 04' E a distance of 3,195 feet. (Steamboat Canal)
6. The existing permitted point of diversion is located within NE1/4 SW1/4 Section 17, T19N, R19E, MDM or at a point from which the Northwest corner of Section 20, T19N, R19E, MDM bears, S 44° 40' W a distance of 3211.0 feet. (Orr Ditch)
7. Proposed place of use portion of NW1/4 SE1/4 and NE1/4 SE1/4 Section 27, T19N, R19E, MDM, containing an area of 0.14 acre.
8. Existing place of use portion of NW1/4 SE1/4 Section 10, T19N, R19E, MDM, containing 0.14 acre.
9. Use will be from As Decreed to of each year.
10. Use was permitted from As Decreed to of each year.
11. Description of proposed works Water diverted from Truckee River through Steamboat Canal and pumped to Place of Use.
12. Estimated cost of works \$5,000.00
13. Estimated time required to construct works One Year
14. Estimated time required to complete the application of water to beneficial use Five Years
15. Remarks: Water to be used to irrigate landscaping and garden on Lot 1, Block A, Manzanita West, Unit No. 3.

By s/Richard W. Arden Agent
950 Industrial Way
Sparks, NV 89431

Compared gkl/bk 1b/gkl

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 271, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is limited to the irrigation of 0.14 acres within the described place of use and not to exceed an annual duty of 4.00 acre-feet per acre of land irrigated from any and/or all sources. The period of use is as decreed.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0054 cubic feet per second, but not to exceed 0.56 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

October 20, 2007

Proof of completion of work shall be filed on or before:

November 20, 2007

Water must be placed to beneficial use on or before:

October 20, 2009

Proof of the application of water to beneficial use shall be filed on or before:

November 20, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, Tracy Taylor, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 20th day of October, A.D. 2006

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed NA

Certificate No. _____ Issued _____